

THE
CHARTERS

Of the following PROVINCES of
NORTH AMERICA;

VIZ.

VIRGINIA,	✻	PENNSYLVANIA,
MARYLAND,	✻	MASSACHUSETT'S BAY,
CONNECTICUT,	✻	AND
RHODE ISLAND,	✻	GEORGIA.

To which is prefixed,

A Faithful NARRATIVE of the

PROCEEDINGS

OF THE

NORTH AMERICAN COLONIES,

In Consequence of the late

STAMP-ACT.

L O N D O N :

Printed for W. OWEN at Temple-Bar ; J. ALMON, in Piccadilly ; and F. BLYTH at John's
Coffee-House, Royal-Exchange.

M DCC LXVI

PRICE TWO SHILLINGS AND SIX-PENCE.

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NORTH AMERICAN COLONY



Printed by W. Owen at the Press of the North American Colony, No. 1, St. James's Street, London.

M DCCC XXII

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T H E

P R O C E E D I N G S

O F T H E

North American Colonies

I N C O N S E Q U E N C E O F T H E

S T A M P - A C T.

ON Friday, March 22, 1765, the Bill "For laying certain Stamp-duties, and other duties, in the American colonies, and for applying the money arising therefrom for the support and defence of the said colonies," having passed through both houses of parliament, received the royal assent. Amongst other provisions in this act, "a Stamp-duty, of one halfpenny sterling, was laid on every News-paper and pamphlet, of half a sheet and under; one penny on every News-paper, &c. of above half a sheet, and not exceeding one sheet; on every paper and pamphlet, more than one sheet, and not exceeding six sheets in octavo, or a lesser page, of twelve sheets in quarto, or twenty in folio, two shillings sterling for every sheet in one copy; on every advertisement in any news-paper, or other paper or pamphlet, two shillings; on every almanack or calendar, for any one year, or less, printed on one side of one sheet, two pence sterling; on every almanack for one year, four pence sterling; on every ditto for several years, four pence for each year; besides stamps upon law papers and parchments, certificates, ship clearances, indentures, &c. &c. &c.

When the Americans received account of the passing of this act, great murmurings and discontent arose amongst them. The acts were printed and cried about the streets at New York by the title of *The Folly of England, and Ruin of America*. On Sunday, the fourteenth of April, the great guns at the fort of Philadelphia were discovered to be all spiked up, and on looking at those of the barracks they were found to be served in the same manner, to the great surprize and uneasiness of several of the inhabitants. Letters arrived in London, from Boston in New England, dated the 1st and 6th of April, expressing the alarm that the news of the stamp-act had thrown the people into, even though they had not then heard of its

being absolutely passed. The heart-burnings increased during the summer, and the New York paper, in the beginning of June last, gave sufficient proofs of the temper with which the colonists beheld the approach of the fatal 1st of November, on which day the act was to take place. Letters of the same tenor came from Virginia, dated June 5, and from Philadelphia, as may be seen in the *Gazetteer* of August 14, 16, and 19.

It was not the populace alone who were discontented, men of rank and property took the alarm. The general assembly of Virginia having debated on the stamp-act, came to several resolutions, which were couched in such terms, that the governor thought fit to dissolve them. But when a new election took place, it did not seem to be composed of men of more passive principles, since the electors excluded all those members who did not assent to those resolves, while those who did were all re-elected. At Boston, in New England, at the last assembly, his Excellency Francis Bernard, Esq; the governor, delivered the following speech to the gentlemen of the council, and those of the house of representatives.

"Soon after my arrival to this government, I formed in my mind an idea of three improvements which this country was capable of making, profitable to itself and convenient to Great Britain: I mean pot-ash, hemp, and the carrying lumber to the British markets. They are all proper staples for New England, and must be very acceptable to Great Britain, as she is at present supplied with them from foreigners, by a losing trade.

"I have already had the pleasure to see the first of these established with effect, and wanting now nothing but care to preserve its credit, and prevent the general quality of the goods, which is of a superior

a superior kind, being rendered doubtful and suspicious, by the fraudulent practices of particulars. This is a necessary caution at the commencement of a new trade; for upon its first reputation depends its future success. There is already a law for the regulation of this trade, but it wants to be carried into execution; this I must desire may be done this session, as it is now becoming immediately wanting.

"You have lately given a public testimony of your desire to promote the production of hemp; I am equally persuaded of your good intentions to the improvement of the lumber trade; as you must be sensible of the insufficiency of the present markets for the reception of the great quantity of lumber which is now produced, and which will be continually encreasing. The parliament of Great Britain has already given encouragement to the one; and it is hoped that it will also extend its bounty to the other.

"These are proper objects of your concern; works, which naturally arise in your own country, strengthen your connection with Great Britain, may easily be confined within yourselves, and will soon be superior to those of foreign rivals. When these are added to your own resources, they will form a fund, which, with the blessing of God, upon your industry and frugality, will be adequate to the expence of all necessary imports; and you will have no occasion, as you have hitherto shewn no disposition, vainly to attempt to transfer manufactories from their settled abode; an undertaking at all times difficult, but, under the disadvantage of high-priced labour, impracticable.

"The general settlement of the American provinces, which has been long ago proposed, and now probably will be prosecuted to its utmost completion, must necessarily produce some regulations, which, from their novelty only, will appear disagreeable. But I am convinced, and doubt not but experience will confirm it, that they will operate as they are designed, for the benefit and advantage of the colonies. In the mean time a respectful submission to the decrees of the parliament, is their interest, as well as their duty.

"In an empire, extended and diversified as that of Great Britain, there must be a supreme Legislature, to which all other powers must be subordinate. It is our happiness that the supreme Legislature, the parliament of Great Britain, is the sanctuary of liberty and justice; and that the prince, who presides over it, realizes the idea of a patriot king. Surely then we should submit our opinions to the determinations of so august a body; and acquiesce in a perfect confidence, that the rights of the members of the British empire will ever be safe in the hands of the conservators of the liberty of the whole."

The house of representatives at New England appointed the honourable James Otis, Thomas Ruggles, and Oliver Partridge, Esqrs; a committee, to meet the committees of the *assemblies of the whole continent*, at New York, October 1, to unite in a petition to his majesty and the British parliament, for relief under the insupportable grievance of the stamp-act.

As the fatal first of November grew more near, the heats of the colonists were augmented. A letter from Boston, of the 5th of August, published in the *Gazetteer* of September 17th, hints, "that the imposition of the stamp-act, it was believed, would be of very short duration; for it was universally esteemed *there* to be arbitrary, unconstitutional, and a breach of charter; therefore, *they think*, they have a right to refuse submission to it, or at least that the stamp-officers would be *afraid* to act in such a station as will stab their country. For, as they have two HUNDRED THOUSAND inhabitants in that province, and, by computation, about *two millions* in America, it is too late to think they would be *dragooned out of their rights*."—How well founded these hints were, the event hath already too plainly demonstrated. These discontents flew from man to man, the disgust gathered force as it spread, it was awakened by the sense of their incapacity to pay the tax in specie; and it was propagated one while by serious publications, and another while by puns, squibs, and bitter jokes, which, as they were short, and seasoned by some wit, were greedily swallowed by all ranks of people, and easily retained in the memory. One saying, "The Americans would soon pass for *Sterling*, when they had the *ball mark*," was answered, "they had no gold to make an *assay* on." Another was a passage in a letter from the same place, which is thus, "We have sent over large commissions to England for half-pence and farthings, on account of the *stamp* and post-office duties, being determined to preserve, as much as possible, our dollars and pistoles, for the *weighty concern* of making remittances to our *mother country*." These trivial circumstances kept alive their resentment, and served as preludes and watch-words to what speedily followed.

About the beginning of August, the colonists began seriously to think of the steps they were to take. A general assembly of representatives was agreed on, to meet at New York. The freemen of Providence, in Rhode-Island, were called together, "to confer on such measures, as should appear to them necessary, relative to the *stamp-act*; whereby the liberties, the darling boast of the English North American subjects, which were once deemed indefeasible, must be greatly abridged, if not totally annihilated." And accordingly they met, and appointed a committee to prepare suitable

suitable *instructions* to be given their representatives, for their conduct in the general assembly, on that alarming occasion. These instructions were prepared, and the freemen being again convened the next day, were laid before them, and approved of. The same steps were also taken by the province of South Carolina. But some did not chuse to stay till the 1st of October to manifest their dislike of the stamp-act, by petitions; for, on the 14th of August, two effigies were found hanging, early in the morning, on a limb of the Great Trees (so called) at the south part of Boston: by the labels fastened to one of them, it seemed to be designed to represent a *stamp-officer*; the other was a jack-boot, with a head and horns peeping out of the top. A great concourse of people from the town soon assembled about them, and their ardor for liberty seemed greatly inflamed at that sight. These images remained till dusk, when they were taken down, placed on a bier, with an inscription on the breast, supported in procession by six men, and followed by a multitude of all ranks, not in a confused, but a regular manner, echoing *liberty and property! No stamps*. They proceeded through the Town-house, down King-street, and to a late erected building, which they supposed to be designed for the stamp-office, which they razed to the ground, but without doing any hurt to any person. The people then carried the woodwork of the house (with the images) to Fort Hill, where they made a large bonfire. They then demolished the barn, fence, garden, &c. with which they would have ended, had not the indiscretion of some within inflamed them to that degree, that they entered the house and did considerable damage.

The next day, the gentleman who was appointed to be stamp officer, desired leave to be excused from that office. The populace assembled again, intending a second bonfire, but, when they heard of his resolution, they went to his gate, gave three cheers, and dispersed quietly.

In the midst of these heats, governor Faquier prorogued the general assembly of Virginia, till the 17th of October; and governor Wentworth prorogued that of New Hampshire to the 19th of November (eighteen days after the stamp-act was to be in force).

The above-mentioned colonies were not the only ones which were agitated on account of this act. That of Massachusetts Bay also shewed their dislike to what they called an unconstitutional tax; and on the arrival of the stamped paper there, the governor thought proper to have them deposited in the castle, and on the first of September spoke as follows to the council.

Gentlemen,

"I have been informed that it is reported about the town, that the stamped papers are to be lodged in the castle, there to be unpacked and distributed.

I have frequently in conversation shewn the absurdity of such a supposition; but as what I have said is perhaps not much known, I make this declaration to you: That I have no warrant, order, or authority whatsoever, to distribute the stamped papers, or to unpack the bales, or separate the parcels, or order any person whatsoever so to do; that it cannot be conceived that I should be so imprudent as to undertake a business to which I have no appointment, and make myself answerable for large sums of money, the receipt of which I cannot attend to, and have no power to direct or order: What I have done in pursuance of your advice, in ordering the stamped papers to be deposited in the castle, and there to be defended with all the force of that fortress, was to preserve them entire and unpacked for his majesty's use. In this I have had two things in view, to prevent imprudent people committing an high insult upon the king, an indignity which would be sure to meet with particular resentment; and to save the town or province, as it may happen, from being made answerable for so great a sum as the value of the stamped papers will amount to; as they certainly will be, if the stamped papers should be taken away. In providing against these two evils, surely We are endeavouring to do the town and province real and important service, whatever people, in their present temper, may think."

"His excellency having made the foregoing declaration to the board, they signified their unanimous desire to his excellency, that he would permit the same to be published; and his excellency thereupon gave permission for publishing the same accordingly."

A. OLIVER, Secr.

At Providence, a Gazette Extraordinary was published, on the 24th of August, with vox POPULI, vox DEI, in large letters, for the frontispiece; and underneath, *Where the Spirit of the Lord is, there is Liberty*. St Paul.—it congratulates them on the spirit of opposition that had already been shewn in divers parts of North America, in these words: "We have glorious accounts from all parts, of the noble spirit of the people in the cause of liberty," and concludes an address to the people of New England, thus: "Let me draw towards a conclusion, by observing the universal spirit which now prevails through the colonies, to take all *lawful* measures to prevent the execution of the stamp-act here. This laudable zeal hath burst into a flame in Boston, and the exertions of the people in that ancient town, who have heretofore been obliged to struggle for their liberties, when infamously attacked, as their history shews, plainly indicate that the spirit of their fathers rest upon them, and that they preserve in their breasts the noble sensations of freedom."

The flame now ran from province to province, and the spirit of opposition was almost universal; Mr. Ingersoll, stamp officer of Connecticut, had sent to Wyndham to a person whom he had appointed to be his deputy, to come to him at New Haven, to receive his commission for that important trust; but the inhabitants at Wyndham, having knowledge of the letter he had received, surrounded his house, demanded the letter from him, and warned him not to accept the office, which so terrified him, that the very same post he sent back an absolute refusal of taking the charge upon him.

The same fate awaited his principal at New Haven, whose resignation of the place of stamp officer was printed in the Boston Post Boy of Aug. 24, in the following words:

To the good People of CONNECTICUT.

"When I undertook the office of distributor of stamps for this colony, I meant a service to you, and really thought you would have viewed it in that light, when you came to understand the nature of the stamp act, and that of the office; but since it gives you so much uneasiness, you may be assured, if I find (after the act takes place, which is the first of November) that you shall not incline to purchase or make use of any stamp paper, I shall not force it upon you, nor think it worth my while to trouble you or myself with any exercise of my office; but if by that time I shall find you generally in much need of the stamp paper, and very anxious to obtain it, I shall hope you will be willing to receive it of me (if I shall happen to have any) at least until another person more agreeable to you can be appointed in my room.

"I cannot but wish you would think more how to get rid of the *stamp act*, than of the officers who are to supply you with paper, and that you had learnt more of the nature of my office before you had undertaken to be so very angry at it."

New Haven,

Aug. 1765.

J. INGERSOLL.

This resignation was much applauded, but seems rather to have been the effect of fear, than a hearty desire of complying with the temper of the times; for, when the people assembled round his house, and demanded, whether he intended to act in that office, or resign, he answered, that as he had accepted the office in person, he did not think he had power to resign. They next demanded whether, when the stamp paper arrived, he would deliver it to them, to make a bonfire? Or—have his house pulled down. To this question he strove to evade giving an answer, by desiring them to wait the meeting of the assembly, and several other pretences; but when he found all unavailing, he then promised, "that when they arrived, he would either re-ship them to be sent back; or, when they were in his house, he would

leave his doors open, that they might then act as they thought proper; this satisfied them, and they dispersed; and the above advertisement appeared in the paper.

Hitherto the people of Boston had confined themselves within some bounds, but whether encouraged by meeting no opposition, influenced by some particular person, or growing more desperate every day that brought them nearer to the fatal 1st of November, on the 26th of August, about twilight, a small bonfire was kindled in King-street, and surrounded only by a few boys and children; but when once the fireward endeavoured to extinguish it, he was whispered, by an unknown person, to desist; which he not regarding, received a blow on his arm, and such other marks of displeasure, as obliged him to withdraw. But presently after a particular whistle and whoop was heard from several quarters, which instantly drew together a great number of persons, disguised, and armed with clubs, sticks, &c. who assaulted the house of William Story, Esq; deputy register of the vice-admiralty, opposite the north side of the Court-House, the lower part of which, being his office, was broke open, the files and public records of that court, and even Mr. Story's private papers, account-books, &c. seized, and condemned to the flames.

This did not take up half an hour, when they rushed onwards (increasing in their numbers like a rolling snow-ball) to the new-built elegant house of Benjamin Hallowell, jun. Esq; the entire furniture of which they totally destroyed, took his money, and by the wines, &c. in his cellars, drank themselves to a madning pitch of fury; for, about ten o'clock, they attacked the house of the lieut. governor, which in a few hours they entirely stripped of all its furniture, nay, even the wainscot; all his plate, apparel, books, papers, records of the province, &c. were destroyed and stolen, to the value of near 2500 l. near 900 l. being in cash; and then they dispersed.

Thus it may be seen what evil consequences arose from the first steps of tumult, since ruffians will at length proceed to the most violent outrages, thinking to have them blended with the more regular efforts of zeal.

The next morning was the time for holding the assize and the supreme court of judicature, when the chief justice was obliged to attend in his only suit, while the gentlemen of the bench and bar were in their respective robes; a very affecting sight. And the chief inhabitants were very strenuous to distinguish "that tumultuous and outrageous behaviour, from a truly noble opposition to the imposition of internal taxes, without the intervention of the respective legislatures of the colonies." The peace and good order of the town was preserved by a nightly military watch,

watch, and several persons were apprehended and committed to goal, on suspicion of being concerned in the late riots.

On the 21st of August, the stamp-master, and another person, were burnt in effigy at Norwich.

On the 10th of September, the stamp papers, for the use of New England, arrived at Boston, and the governor, very prudently, with the advice of the council, lodged them in the castle, whereby fresh tumults were prevented, as the populace had determined to make a bonfire of them; and some of them were not a little chagrined at their going to the castle. Mr. Messerve, the stamp-officer for ~~the~~ was surrounded by above three hundred persons (several of whom were men of property) and obliged to engage not to act in his office, nor issue any stamps, even in the province to which he was going.

If the stamp-act was beheld in so disagreeable a light by the North Americans, how much more did they execrate the ministry, whom they supposed to be the means and promoters of their grievances? They loaded their names with the most approbrious invectives, and in nine several provinces burnt them in effigy, as well as the stamp distributors; but their joy was excessive at Boston, where the same ship which brought the so much detested stamps, brought them also the news of the change of the ministry. The next morning the day was ushered in by the ringing of the bells at Boston and the neighbouring towns; at noon a royal salute was given from the batteries, and the evening concluded with bonfires, illuminations, fireworks, and the utmost expressions of joy and festivity. Even tributes of joyful tears were not wanting to denote how agreeable that change was to them.

It is worthy of remark, that the outrages on the 26th instant, were not only disavowed by the reputable part of the inhabitants, but, on a short notice, they met at Phannel-hall in very great numbers, and testified their utter detestation of the extraordinary and violent proceedings of the unknown persons, the preceding night; and they unanimously voted "That the select men, and magistrates of the town, be desired to use their utmost endeavours, agreeable to law, to suppress such disorders for the future; and that the freeholders, and other inhabitants, will do every thing in their power to assist them therein." The next day a proclamation was published by the governor, offering a reward of 300l. for the discovery of any of the ringleaders, and 100l. for any of the other persons concerned in that riot.

The governor's message to the council and assembly concerning the disposition of the stamp paper, on its arrival, with the assembly's answer, were as follow.

Gentlemen of the Council and Gentlemen of the House of Representatives.

"A ship is arrived in the harbour with stamped papers on board for the king's use in this province, and also with other stamped papers for the like use for the province of New Hampshire and colony of Rhode Island; as Mr. Oliver has declined the office of distributor of stamped papers, and cannot safely meddle with what are arrived, the care of them devolves to this government, as having a general charge of the king's interest within it. I have already laid this matter before the council, and they refer it to a general court; I therefore now apply to you jointly to desire your advice and assistance, in order to preserve the stamped papers designed for this government, being the king's property, of very considerable value, safe and secure for his majesty's further orders. I must also desire you at the same time to consider of the like preservative of the stamped papers designed for New Hampshire and Rhode Island, if the distributors appointed for those governments should decline to have the charge of them, and in such case the care of them will devolve to this government, equally with others."

May it please your Excellency,

"The house having given all due attention to your excellency's message of this day, beg leave to acquaint your excellency, that the stamped papers mentioned in your message are brought here without any directions to this government: it is the sense of the house, that it may prove of ill consequence for them any ways to interest themselves in this matter; we hope therefore your excellency will excuse us, if we cannot see our way clear enough to give you any advice or assistance herein."

The prosecution of the affairs of New England, to the beginning of September, hath caused an omission in point of time, of the proceedings of other colonies. But to return,

On Tuesday the 27th of August (for, as if it had been previously concerted, the commotions throughout the provinces all happened within a few days of each other) about nine o'clock in the morning, the people of Newport, in Rhode Island, brought forth the effigies of three persons, in a cart, with halters about their necks, to a gallows, twenty feet high, placed near the Town-house, where they were hung to public view till near night, when they were cut down, and burnt under the gallows, amidst the acclamations of thousands.

The next evening they assembled again, and beset the house of Martin Howard, jun. Esq; the furniture, &c. thereof they burnt and destroyed, as they did next that of Dr. Thomas Moffat, leav-

ing the houses mere shells. They then proceeded towards the house of Augustus Johnston, Esq; who had been appointed stamp-master for Rhode-Island, but were met and parleyed with by a gentleman, who, telling them the house was not Mr. Johnston's property, they desisted from any farther attempts, but insisted that Mr. Johnston's effects should be delivered to them next day, unless he would resign his place, which he did on his coming to town next day, in the following terms; and then they dispersed.

To the Inhabitants of the Town of Newport.

Gentlemen,

"As I find my being appointed the stamp-officer of this colony has irritated the people of this town against me, though the office was bestowed on me unasked and unthought of; and being willing, as far as it is in my power, to restore tranquility to the town, do engage, upon my honour, that I will not accept of the said office, upon any terms, unless I have your consent for the same.

August, 29, AUGUSTINE JOHNSTON.
1765.

On these outrages Mr. Howard and Mr. Moffat, finding the resentment of the people was very high against them, and fearing their persons would not be safe in Newport, took shelter in the Signet man of war, and soon after departed for Great Britain.

On the 10th of September, the assembly of Philadelphia, having appointed a committee to attend at the general congress at New York, a letter from the speaker of the Massachusetts assembly was read, and the house came to the following resolutions on the questions.

First, Whether the house are of opinion that, in duty to their constituents, they ought to remonstrate to the crown against the stamp act, and other late acts of parliament, by which heavy burdens have been laid on the colonies.

Resolved in the affirmative, N. C. D.

Secondly, Whether this house will appoint a committee of three, or more of their members, to attend the congress proposed in the foregoing letter, to be held at New York on the first of October next, for the purposes therein mentioned.

Resolved in the affirmative:

About this time also the following advertisement appeared in the New York Gazette.

To Messrs. GREEN and RIND.

Gentlemen,

I am informed that the stamp-law takes place the first day of November next; I therefore hereby give notice to all officers whatsoever that may be appointed by virtue of that most grievous and unconstitutional act (to prevent them trouble) that

I will pay no tax whatever, but what is laid upon me by my representatives. I am, gentlemen,

Your humble servant,
BENJAMIN WELSH.

It is not to be wondered at that the Americans should be very diligent in wanting to be informed how their opposition was looked upon in the mother country; they saw in the English papers that their conduct was severely censured by some people; they endeavoured, by letters to persons of eminence here, to account for their conduct; they declared, that the colonies were not unwilling to pay their proportion towards relieving the nation from the heavy burthen of debt it now groans under; but what occasioned the general uneasiness and commotions was, 1st, That they were taxed without ever being represented, or heard against it; which they held to be an infringement of the rights and privileges, which they have ever been intitled to, and enjoyed, by their royal charters. If the government of Great Britain had fixed on any particular sum, to be yearly paid by each colony, and left the raising of that sum to their several assemblies, it would have been cheerfully complied with; and as the assemblies knew best the internal state of the colonies, it would have been raised by the least burthenfome ways, and not have caused a single murmur. Whereas now, 2dly, As all the monies raised by this tax is to be remitted to England, to the king's exchequer, *in specie*, and not by Bills of exchange, or any other remittance; it was therefore *impossible* for the colonies to raise one fourth part of so much specie as their tax would amount to, as, from all their trade, they do not import it. Were the remittances to be made in bills of exchange, they might possibly make them. And, 3dly, That if any offence is committed against the act, the offender, if the prosecutor chuses it, is to be tried by a court of admiralty; which (say they) is so great a stride to arbitrary power, and so great a violation and infringement of English liberty, that no Englishman *can tamely submit to*. Why (they add) should the king's American subjects be deprived of the liberty of being tried by civil authority, and twelve jury-men, more than in England? Should an attempt be made of this kind in England, every Englishman, who has the least sense of his right of liberty, would rise in opposition." Thus they argued in their own defence; but perhaps they do not think that, by every excise-law, Englishmen are deprived of that right, and have submitted, year after year, to new additions to that deprivation. But to proceed in our history.

While the colonies shewed the strongest marks of dislike to those whom they supposed to be the promoters of the stamp-act, they were as strong in their

their marks of approbation of those who had opposed its passing: for on the 18th of September, at a meeting of the freeholders and inhabitants of Boston, a committee of seven gentlemen was chosen "to draw up and transmit to Mr. Secretary Conway and Colonel Isaac Barré, several addresses of thanks for their patriotic speeches in parliament, in favour of the rights and privileges of the Colonists; and to desire correct copies thereof to be placed among their most precious archives." And they voted the pictures of those Gentlemen to be placed in their Town-hall.

On Saturday Sept. 21, there was published a new news-paper in America, under the following title, "The CONSTITUTIONAL COURANT, containing matters interesting to *Liberty*, and no ways repugnant to *Loyalty*:" It had an emblematical head-piece, of a snake cut into several pieces, on each of which were the initial letters of the names of the several colonies, and over it, "JOIN OR DIE" in large letters, and the imprint was, "Printed by *Andrew Marvel*, at the sign of the *Bribe refused*, on *Constitution-bill*, North America."

The 25th of Sept. the General Assembly of the province at Massachusets Bay, in New England, met at Boston, when his Excellency Francis Bernard, Esq; Governor of the said province, made the following speech to them.

Gentlemen of the Council, and,

Gentlemen of the House of Representatives,

"I have called you together at this unusual time, in pursuance of the unanimous advice of a very full Council, that you may take into consideration the present state of the Province, and determine what is to be done at this difficult and dangerous conjuncture. I need not recount to you the violences which have been committed in this town, nor the declarations which have been made and still subsist, that the Act of Parliament for granting stamp-duties in the British colonies shall not be executed within this province. The ordinary executive authority of this government is much too weak to contradict such declarations, or oppose the force by which they are supported: It has therefore been found necessary to call the whole legislative power in aid of the executive government. From this time this arduous business will be put into your hands, and it will become a provincial concern.

"Upon this occasion it is my duty to state to you what will probably be the consequences, if you should suffer a confirmed disobedience of this act of parliament to take place. I am sensible how dangerous it is to speak out at this time, and upon this subject: but my station will not allow me to be awed or restrained in what I have to say to the General Court; not only my duty to the King,

but my duty to the province, my love to it, my concern for it, oblige me to be plain and explicit upon this occasion. And I hope no advocate for liberty will violate that essential constitutional right, freedom of speech in the General Assembly.

"As I desire not to dictate to you, and would avoid all appearance of it, I shall resolve what I have to recommend to your consideration into mere questions, and avoid assertions of my own in matters which are doubtful. I shall not enter into any disquisition of the policy of the act: it has never been a part of my business to enter into any judgment of it; and as I have not hitherto had any opportunity to express any sentiments of it, I shall not do it now. I have only to say, that it is an act of the parliament of Great Britain, and as such ought to be obeyed by the subjects of Great Britain. And I trust that the supremacy of that parliament, over all the members of their wide and diffused empire, never was, and never will be denied within these walls.

"The Right of the parliament of Great Britain to make laws for the American colonies, however it has been controverted in America, remains indisputable at Westminster. If it is yet to be made a question, who shall determine it but the parliament? If the parliament declares that this right is inherent in them, are they like to acquiesce in an open and forcible opposition to the exercise of it? Will they not more probably maintain such right, and support their own authority? Is it in the will or in the power, or for the interest of this province to oppose such authority? If such opposition should be made, may it not bring on a contest, which may prove the most detrimental and ruinous event which could happen to this people?

"It is said, that the gentlemen who opposed this act in the House of Commons, did not dispute the authority of Parliament to make such a law, but argued upon the inexpediency of it at this time, and the inability of the colonies to bear such an imposition. These are two distinct questions, which may receive different answers. The power of the Parliament to tax the colonies may be admitted, and yet the expediency of exercising that power at such a time, and in such a manner, may be denied. But if the questions are blended together, so as to admit of but one answer, the affirmative of the right of Parliament will conclude for the expediency of the act. Consider therefore, gentlemen, if you found your application for relief upon denying the Parliament's right to make such a law, whether you will not take from your friends and advocates the use of those arguments, which are most like to procure the relief you desire?

"You, Gentlemen of the House of Representatives, have proposed a congress of committees from the representatives of several colonies, to con-

sider of a general, united, dutiful, loyal and humble representation which you have proposed? Will the denying the power and authority of the King and Parliament, be the proper means to obtain their favour? If the Parliament should be disposed to repeal this act, will they probably do it whilst there subsists a forcible opposition to the execution of it? Is it not more probable, that they will require a submission to their authority as a preliminary to their granting you any relief? Consider then, whether the opposition to the execution of the act has not a direct tendency to defeat the measures you have taken to procure a repeal of it, if you do not interpose to prevent it.

"By this act, all papers which are not duly stamped are to be null and void; and all persons who shall sign, engross, or write any such papers, will forfeit, for each fact, ten pounds. If therefore stamps are not to be used, all public offices must be shut up: for it cannot be expected, that any officer should incur penalties much beyond all he is worth, for the sake of doing what must be null and void when it is done. I would therefore desire you to consider what effects the stopping two kinds of offices only, the Courts of Justice and the Custom-houses, will have upon the generality of the people. When the Courts of Justice are shut up, no one will be able to sue for a debt due to him. Must not then all credit and mutual faith cease of course, and fraud and rapine take their place? Will any one's person or property be safe, when their sole protector, the law, is debased to act? Must not the hand of violence be then let loose, and force of arms become the only governing power? It is easy to form an adequate idea of a state of general outlawry? And may not the reality exceed the worst idea you can form of it?

"If trade and navigation shall cease by the shutting up the ports of this province for want of legal clearances; are you sure that all other ports which can rival these will be shut up also? Can you depend upon recovering your trade again entire and undiminished, when you shall be pleased to resume it? Can the people of this province subsist without navigation for any long time? What will become of the seamen who will be put out of employment? What will become of the tradesman who immediately depend upon the navigation for their daily bread? Will these people endure want quietly without troubling their neighbours? What will become of the numberless families which depend upon fishery? Will they be able to turn the produce of their year's work into the necessaries of life without navigation? Are there not numberless other families who do not appear immediately concerned in trade, and yet ultimately depend upon it? Do you think it possible to provide for the infinite chain of the dependants upon trade, who will be brought to want by

the stopping of it? It is certain that this province has a stock of provisions within itself sufficient for all its inhabitants, without the usual imports? If there should be a sufficiency in general, can it be distributed among all the individuals without great violence and confusion? In short, can this province bear a cessation of law and justice, and of trade and navigation, at a time when the business of the year is to be wound up, and the severe season is hastily approaching? These are serious and alarming questions, which deserve a cool and dispassionate consideration.

"I would not willingly aggravate the dangers which are before you: I do not think it very easy to do it: This province seems to me to be upon the brink of a precipice; and that it depends upon you to prevent its falling. Possibly I may fear more for you than you do for yourselves; but in the situation you now stand, a sight of your danger is necessary to your preservation! and it is my business to open it to you. But I do not pretend to enumerate all the evils which may possibly happen; several, and some of no little importance, will occur to you though they have been omitted by me. In a word, gentlemen, never were your judgment and prudence so put to a trial, as they are like to be upon the present occasion.

"I am aware that endeavours have been or may be used, to lessen my credit with you, which I have hitherto always studied to improve to the advantage of the province. Violences, seldom come alone: The same spirit which pulls down houses attacks reputations. The best men in the province have been much injured in this way; I myself have not escaped this malignity. But I shall not lower myself so as to answer such accusers: To you I shall always owe such explanations as shall be necessary to the improvement of a good understanding between us. However, I will take this opportunity to declare publicly, that ever since I have sat in this chair, I have been constantly attentive to the true interests of this province according to the best of my understanding, and have endeavoured to promote them by all means in my power. The welfare of this people is still uppermost in my heart: and I believe no man feels more for them than I do at this present time.

Gentlemen of the House of Representatives.

"I must recommend you to do an act of justice, which at the same time will reflect credit upon yourselves; I mean to order a compensation to be made to the sufferers by the late dreadful disturbances. Their losses are too great for them to sit down with; one of them amounts to a very large sum. You must be sensible that it will be expected that these damages be made good; and it will be better for you to do it of your own accord before any requisition is made to you. An estimate

of these damages is made by a committee of the council pursuant to order, which will be laid before you.

Gentlemen,

" I am sensible of the difficulty of the part you have to act ; it may not be sufficient for you to be convinced of a submission to the law for the present, unless the same conviction shall be extended to the people in general. If this should be so, I can only desire you to use all means to make yourselves well acquainted with the exigency of the present time ; and if you shall be persuaded that a disobedience of the act is productive of much more evil than a submission to it can be, you must endeavour to convince your constituents of the truth of such persuasion. In such case I shall readily grant you a recess for a sufficient time ; and I shall be ready to concur with you in all other legal measures to provide for the safety of the people in the best manner.

Council-Chamber. FRA. BERNARD.
25. Sept. 1765.

The house of Representatives immediately appointed a committee to prepare an address in answer to his Excellency's speech, and the draught was to have been reported the 28th ; but on the preceeding day, both the houses of assembly received the astonishing, sudden and unexpected message to adjourn to the 23d of October.

The 26th of Sept. the hon. Thomas Finch, Esq; Governor of Connecticut, issued a proclamation, " requiring all officers, civil and military, to use their utmost endeavours for preventing and suppressing all riots and tumultuous assemblies : " but so great was the dread of the peoples resentment, that Wm. Storey, Esq; resigned his office of Deputy-register of the court of Vice-Admiralty ; as some days before, Wm. Cox, Esq; had resigned his office as Stamp-master for New-Jersey.

About the same time, fourteen boxes more of stamp paper arrived at Boston for the use of that province ; and of New Hampshire and Rhode Island ; but the ships that brought them were obliged to be guarded in by a man of war sloop and a cutter, and brought too under the protection of the guns of the castle.

The inhabitants of Connecticut not being fully satisfied with the first declaration of Mr. Ingersoll, a great number of the inhabitants from the eastern parts of the province came on horseback to Hartford on the 18th of September, and declared they were on their way to Newhaven, to demand of Mr. Ingersoll a total resignation of his office, as were also a number of their companions on the lower roads, who were all to rendezvous at Brentford the next day ; they then separated to get lodgings in Hartford for that night. In the evening they

received information that Mr. Ingersoll was to be in town the next day, to apply to the assembly for protection ; but lest he should come in the night, to shun them, they kept a patrol in the streets all that night to prevent his coming unnoticed ; but he not arriving the next morning, the whole body set off, and in about an hour met Mr. Ingersoll at the lower end of Wethersfield, and told him their business, when after many evasions and debates he read his resignation to the multitude, who desired him to cry out *Liberty and Property* three times, which he did ; and they returned three loud huzzas. Mr. Ingersoll then went and dined at the tavern with many of the company, and a party of about five hundred escorted him to Hartford, where he again publicly read his resignation, which they again applauded with three huzzas, and then they all dispersed without any Disturbance. His resignation was as follows.

Wethersfield, Sept. 19, 1765.

I do hereby promise, that I will never receive any stamped papers, which may arrive from Europe, in consequence of an act lately passed in the parliament of Great Britain, nor officiate in any manner as stamp-master, or distributor of stamps, within this colony of Connecticut, either directly or indirectly. And I do hereby notify to all the inhabitants of his Majesty's colony of Connecticut, (notwithstanding the said office or trust has been committed to me) not to apply to me, ever after, for any such stamped papers, hereby declaring, that I do resign the said office, and execute these presents of my own free will and accord, without any equivocation, or mental reservation.

In witness whereof I have hereunto set my hand.

J. INGERSOLL.

In Philadelphia, the house of assembly met on the 21st of Sept. and came to the following resolutions.

" The House taking into consideration, that an Act of Parliament has lately passed in England, for imposing certain stamp duties, and other duties on his Majesty's subjects in America, whereby they conceive some of their most essential and valuable rights, as British subjects, to be deeply affected, think it a duty they owe to themselves, and their posterity, to come to the following resolutions, viz.

Resolved, N. C. D. That the assemblies of this Province have, from time to time, whenever requisitions have been made by his Majesty, for carrying on military operations for the defence of America, most cheerfully and liberally contributed their full proportion of men and money for those services.

Resolved, N. C. D. That whenever his Majesty's service shall, for the future, require the aids of the inhabitants of this Province, and they shall be

called upon for that purpose, in a **CONSTITUTIONAL** way. it will be their indispensable duty most cheerfully and liberally to grant to his Majesty their proportion of men and money, for the defence, security, and other public services of the British American colonies.

Resolved, N. C. D. That the inhabitants of this Province are intitled to all the rights and privileges of his Majesty's subjects in Great Britain, or elsewhere; and that the constitution of government in this Province is founded on the natural rights of mankind, and the noble principles of English liberty, and therefore is, or ought to be, perfectly free.

Resolved, N. C. D. That it is the inherent birth-right, and indubitable privilege of every British subject, to be taxed only by his own consent, or that of his legal representatives, in conjunction with his Majesty, or his substitutes.

Resolved, N. C. D. That the only legal representatives of the inhabitants of this province, are the persons they annually elect to serve as Members of Assembly.

Resolved therefore, N. C. D. That the taxation of the people of this Province by any other persons whatsoever, than such their representatives in Assembly, is **UNCONSTITUTIONAL**, and subversive of their most valuable rights.

Resolved, N. C. D. That the laying taxes upon the inhabitants of this Province in any other manner, being manifestly subversive of public liberty, must, of necessary consequence, be utterly destructive of public happiness.

Resolved, N. C. D. That the vesting an authority in the courts of admiralty to decide in suits relating to the stamp duties, and other matters, foreign to their proper jurisdiction, is highly dangerous to the liberties of his majesty's American subjects, contrary to Magna Charta, the great charter and fountain of English liberty, and destructive of one of their most *darling and acknowledged* rights, that of **TRIALS BY JURIES**.

Resolved, N. C. D. That it is the opinion of this house, that the restraints imposed by several acts of parliament on the trade of this province, at a time when the people labour under an enormous load of debt, must of necessity be attended with the most fatal consequences, not only to this province, but to the trade of our mother country.

Resolved, N. C. D. That this house think it their duty thus firmly to assert, with modesty and decency, their inherent rights, that their posterity may learn and know, that it was not with their consent and acquiescence, that any taxes should be levied on them by any persons but their own representatives; and are desirous that these their resolves should remain on their minutes, as a testimony of the zeal and ardent desire of the present house of assembly to preserve their *inestimable*

rights, which, as Englishmen, they have possessed ever since this province was settled, and to transmit them to their latest posterity."

The same day, the following address was presented to the governor of Maryland:

To his Excellency HORATIO SHARPE, Esq; Governor and commander in chief in and over the province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

"We, his majesty's most dutiful and loyal subjects, the delegates of the freemen of the province of Maryland, in assembly convened, return your excellency our thanks for your speech at the opening of this session; and beg leave to assure you, that the opportunity your excellency has now afforded us, of promoting the true interest of our country, is extremely agreeable to us.

As we have thought it our indispensable duty to our constituents, at this time to appoint a committee of some of our members, to join committees from the house of representatives of the other colonies on the continent, who are to meet at the city of New York, on the first Tuesday in October next, in order to join in a general and united dutiful, loyal and humble representation to his majesty, and the British parliament, of the circumstances and condition of the British colonies and plantations, and to implore relief against some acts of parliaments, we are informed have lately passed in England, whereby it is apprehended the liberty of the colonies will be greatly abridged, which, with the matters necessarily relative to, and dependant upon it, (wherein we have met with some very unexpected delays) has so wholly engrossed our attention, that we have not yet even settled any of our ordinary rules for proceeding, we cannot doubt but we shall stand excused for being thus late in answering your excellency's speech; and having now very nearly completed that affair, and as the next month will be chiefly taken up in adjourned county courts, by which means several of our members must be taken from the business of the house, or great numbers suffer much by their suits continuing open at this time, we hope your excellency will, as soon as the present important business is finished, give us a short recess of a few weeks, that those inconveniences may be removed, when we shall be very glad to have an opportunity of proceeding to the dispatch of the interesting matters your excellency has been pleased to recommend to us, and to concur with the other branches of the legislature, in every measure tending to produce the general welfare of our country, which we are much pleased to be assured by your excellency, you also consider as your own."

Sept. 21, 1765. ROBERT LLOYD, Speaker.

To

To which he returned the following Answer, on
Sept. 28.

Gentlemen of the Lower House of Assembly.

"As I perceive by your address, which hath been just presented to me, that you are desirous to have a short recess of a few weeks, I shall comply with your request; but it being probable that the stamped paper destined for this province, in consequence of the act of parliament that was made last session, by the legislature of Great Britain, will arrive here before I shall have an opportunity of advising with you again, and that the master of the vessel who may have charge thereof, will desire me to give orders for its being landed, and lodged in a place of security, especially as the person appointed to distribute the stamps here, has, I understand, left the province, I should be glad to know how you would advise me to act on such an occasion.

Sept. 28.

HORATIO SHARPE.

And the house then came to the following resolutions, which they ordered to be printed.

By the Lower House of Assembly.

Sept. 28, 1765.

Ordered, That Mr. Jonas Green, printer, do publish in the Maryland Gazette, next week, the following resolves of this house.

Signed per order.

M. MACNEMARA. CL. LO. HO.

I. Resolved unanimously, That the first adventurers and settlers of this province of Maryland brought with them, and transmitted to their posterity, and all other his majesty's subjects since inhabiting in this province, all the liberties, privileges, franchises, and immunities, that at any time have been held, enjoyed and possessed, by the people of Great Britain.

II. Resolved unanimously, That it was granted by Magna Charta, and other the good laws and statutes of England, and confirmed by the petition and Bill of rights, that the subject should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent of parliament.

III. Resolved unanimously, That by a royal charter, granted by his majesty king Charles I. in the eighth year of his reign, and in the year of our Lord 1632, to Cæcilius, then lord Baltimore, it was, for the encouragement of people to transport themselves and families into this province, amongst other things, covenanted and granted by his said majesty, for himself, his heirs, and successors, as followeth:

[Here is recited such parts of their charter as may be seen in the 10th and 20th clauses of the Maryland charter.] After which they proceeded thus:

IV. Resolved that it is the unanimous opinion of this house, That the said charter is declaratory

of the constitutional rights and privileges of the freemen of this province.

V. Resolved unanimously, That trials by juries is the grand bulwark of liberty, the undoubted birthright of every Englishman, and consequently of every British subject in America: And that the erecting other jurisdictions for the trial of matters of fact, is unconstitutional, and renders the subject insecure in his liberty and property.

VI. Resolved, That it is the unanimous opinion of this house, That it cannot with any truth or propriety be said, That the freemen of this province of Maryland are represented in the British parliament.

VII. Resolved unanimously, That his majesty's liege people of this ancient province, have always enjoyed the right of being governed by laws, to which they themselves have consented, in the article of taxes, and internal policy; and that the same hath never been forfeited, or any other way yielded up; but hath been constantly recognized by the king and people of Great Britain.

VII. Resolved, That it is the unanimous opinion of this house, that the representatives of the freemen of this province, in their legislative capacity, together with the other part of the legislature, have the sole right to lay taxes and impositions on the inhabitants of this province, or their property and effects: And that the laying, imposing, levying or collecting, any tax on or from the inhabitants of Maryland, under colour of any other authority, is unconstitutional, and a direct violation of the rights of the freemen of this province.

On the 5th of October the stamps arrived at Philadelphia, the ship which brought them having lain some time at Newcastle upon Delaware, under protection of a man of war. When the ships first appeared round Gloucester-point, all the vessels in the harbour hoisted their colours half-staff high, the bells were muffled, and continued to toll till evening, and every countenance added to the appearance of sincere mourning. At four in the afternoon, several thousands of citizens met at the State-house, to consult on proper measures to prevent the execution of the stamp-act. It was agreed to send a deputation of seven persons to Mr. Hughes, the stamp-master for that province, (who was then sick in bed) to request he would resign his office. He readily declared, that no act of his should assist the carrying of that law into execution, till it was generally complied with in the other colonies, but refused to sign any resignation. When this report was made by the deputies to the State-house, the citizens were enraged to that degree, that it is hard to say to what lengths their fury would have carried them, had not the deputies represented Mr. Hughes as at the point of death; this moved their compassion, and they agreed

greed to make their demand in writing, and give Mr. Hughes till the Monday following to make a reply. And on Monday the deputies read the following answer aloud to all the multitude assembled.

Philadelphia, Monday morning, Oct. 7, 1765.

"Whereas about six o'clock, on Saturday evening last, a paper was sent to me, expressing, that 'a great number of the citizens of Philadelphia, assembled at the State house, to demand of Mr. John Hughes, distributor of stamps for Pennsylvania, that he will give them assurance, under his hand, that he will not execute that office; and expect that he will give them a fair, candid, and direct answer, by Monday next, at ten o'clock, when he will be waited on for that purpose. Saturday, October 5, 1765.'

"I do therefore return for answer to those gentlemen, and all their associates, that I have not hitherto taken any step tending to put the late act of parliament into execution in this province; and that I will not, either by myself or my deputies, do any act or thing that shall have the least tendency to put the said act into execution in this province, until the said act shall be put into execution generally in the neighbouring colonies, and this I am determined to abide by.

"And whereas my commission includes the three countries of New-Castle, Kent, and Suffex, upon Delaware, I do, therefore, hereby voluntarily inform the good people of those counties, that no act of mine shall, either directly or indirectly, involve them in any difficulties with respect to the said stamp act, before the same shall take place generally in the neighbouring colonies."

JOHN HUGHES.

It is necessary sometimes, in this narration, to neglect a strict observance of the order of time, that each separate account may have a proper continuation,—to return then a little back. On the 20th of September, all the lawyers of the supreme court, held at Perth Amboy, assembled, and the Chief Justice having proposed the following queries, they agreed and came to these several resolutions:

First. Whether, if the stamps should arrive, and be placed at the city of Burlington, by or after the first of November, they would, as practitioners, agree to purchase them, or any of them, for the necessary proceedings in the law?

Resolved by the whole body, N. C. D. they would not, but rather suffer their private interest to give way to the public opinion, protesting at the same time against all riotous and indecent behaviour, which they will discountenance by every means in their power, to preserve order, and by an absolute refusal to make use of the stamps, and other quiet methods, endeavour to obtain a repeal of the law.

Second. Whether it was their opinion, that should the act take place, the duties could possibly be paid in gold and silver.

Answered by the whole body, It could not be paid in gold and silver even for one year.

Third. Their opinion was desired, whether, as the act required the Governor and Chief Justice to superintend the distributor, he should be obliged to take charge of the distribution of the stamps, by order and appointment of the governor, if he should think proper to fix upon him for that office?

Answered and advised, not to take it upon him, the Governor not being impowered by the act to appoint; or if he was, it was left to the Chief Justice's option, and that it would be incompatible with his office as Chief Justice.

The lawyers also of New Jersey met, and resolved to lose all their business, rather than make use of any stamps.

When the commissioners from Boston came to the congress at New York, they waited on lieutenant-governor Colden, who received them very coldly; and told them, that "such a congress was unconstitutional, unprecedented, and unlawful, and that he should give them no countenance."

On the 21st of October, the freeholders and other inhabitants of the town of Plymouth had a meeting, and unanimously agreed on instructions to Thomas Forster, Esq; their representative in the general assembly of Massachusetts Bay. In which, after expressing the highest esteem for the British constitution, shewing how far the people of America have exerted themselves in support thereof, and setting forth their grievances, they proceed as follows:

"You, Sir, represent a people who are not only descended from the first settlers of this country, but inhabit the very spot they first possessed. Here was first laid the foundation of the British empire in this part of America, which from a very small beginning, has increased and spread in a manner very surprising, and almost incredible; especially when we consider that all this has been effected without the aid or assistance of any power on earth, that we have defended, protected, and secured ourselves against the invasions and cruelty of savages, and the subtilty and inhumanity of our inveterate and natural enemies the French; and all this without the appropriation of any tax by stamps, or stamp acts laid upon our fellow subjects in any part of the king's dominions, for defraying the expences thereof. This place, Sir, was at first the asylum of liberty, and we hope will ever be preserved sacred to it; though it was then no more than a forlorn wilderness, inhabited only by savage men and beasts. To this place our fathers (whose memories be revered) possessed of the principles of liberty in their purity, disdaining slavery, fled to enjoy those pri-

privileges which they had an undoubted right to, but were deprived of by the hands of violence and oppression in their native country. We, Sir, their posterity, the freeholders and other inhabitants of this town, legally assembled for that purpose, possessed of the same sentiments, and retaining the same ardour for liberty, think it our indispensable duty, on this occasion, to express to you these our sentiments of the stamp act, and its fatal consequences to this country, and to enjoin upon you, as you regard not only the welfare, but the very being of this people, that you (consistent with our allegiance to the king, and relation to the government of Great Britain) disregarding all proposals for that purpose, exert all your power and influence in relation to the stamp act, at least until we hear the success of our petitions for relief. We likewise, to avoid disgracing the memories of our ancestors, as well as the reproaches of our own consciences, and the curses of posterity, recommended it to you to obtain, if possible, in the honourable house of representatives of this province, a full and explicit assertion of our rights, and to have the same entered on their public records, that all generations yet to come, may be convinced, that we have not only a just sense of our rights and liberties, but that we never (with submission to divine providence) will be slaves to any power on earth; and as we have at all times an abhorrence of tumults and disorders, we think ourselves happy in being at present under no apprehensions of any, and in having good and wholesome laws sufficient to preserve the peace of the province in all future times, unless provoked by some imprudent measure: so we think it by no means adviseable for you to interest yourself in the protection of stamp papers, or stamp officers.

"The only thing we have further to recommend to you at this time, is to observe on all occasions a suitable frugality and œconomy in the public expences; and that you consent to no unnecessary or unusual grant at this time of distress, when the people are groaning under the burthen of heavy taxes: And that you use your endeavours to enquire into, and bear testimony against, any past, and to prevent any future unconstitutional draughts on the public treasury."

On Tuesday, October 22. the stamps arrived at New York, and the same demonstrations of sorrow and mourning were made there as had been at Philadelphia. The Governor sent to Mr. M'Evers to take care of them, but he refused to have any thing to do with them; and indeed not one person from New Hampshire to Georgia was hardy enough to venture at the executing the office of Stamp-distributor.

On Thursday, October 24, the congress at New York, having finished their business, separated. And on the 31st the merchants of New York met, and came to four resolutions, 1st, In all the orders they should send to Great Britain, for any goods whatever, to direct them not to be shipped unless the stamp-act was repealed. 2d, To countermand all orders already sent, unless on the above condition. 3d, Not to sell any goods, &c. sent on commission from Great Britain, shipped after the 1st of January, 1766, unless on the above condition. And, 4th, That these resolutions should be binding, till abrogated at a future general meeting. And these resolves were subscribed by above two hundred of the principal inhabitants.

In consequence of these resolutions, the shopkeepers and retailers subscribed an obligation, not to buy any wares, goods, or merchandize, of any person whatever, shipped from Great Britain, after the 1st of January, unless the stamp-act was repealed.

The inhabitants of Philadelphia followed their example; and on the 7th of November, the merchants, &c. met, and entered into the like engagements.

In the last week of October, George Mercer, Esq; appointed distributor of the stamps for Virginia, arrived in New York river, on the 30th; in the evening he came to Williamsburgh, and upon his walking up the streets as far as the capitol, in his way to the Governor's, was accosted by a concourse of gentlemen assembled from all parts of the colony, the general court sitting at the time. They insisted he should immediately satisfy the company (which constantly increased) whether he intended to act as a commissioner under the Stamp Act: Mr. Mercer told them, that any answer to so important a question that he should make, under such circumstances, would be attributed to fear; though he believed none of his countrymen, as he had never injured them, could have any design against his person; insisted that he ought to be allowed to wait on the Governor and council, and to receive true information of the sentiments of the colony (whose benefit and prosperity he had as much at heart as any man in it) and that he would, for the satisfaction of the company then assembled, give them his answer on Friday at ten o'clock. This seemed to satisfy them, and they attended him up as far as the coffee-house, where the Governor, most of the council, and a great number of gentlemen were assembled; but soon after many more people got together, and insisted on a more speedy and satisfactory answer, declaring they would not depart without one. In some time, upon Mr. Mercer's promising them an answer by five o'clock the next evening, they departed well pleased; and he met with no further molestation.

And accordingly he was met with in the evening of the thirty-first at the Capitol, by a vast number of gentlemen, among them all the principle trading people in the colony; upon which the gentleman, deputed by the whole, informed him, that he was then to look upon himself as in the presence of the colony, and demanded the answer he yesterday promised to give them. Mr. Mercer then addressed himself to the company in the following manner:

Gentlemen,

"I now have met you agreeable to yesterday's promise, to give my country some assurances which I would have been glad I could with any tolerable propriety have done sooner.

"I flatter myself no judicious man can blame me for accepting an office under an authority that was never disputed by any from whom I could be advised of the propriety or weight of the objections. I do acknowledge that, some little time before I left England, I heard of, and saw, some resolves which were said to be made by the House of Burgesses of Virginia; but as the authenticity of them was disputed, they never appearing but in private hands, and so often and differently represented and explained to me, I determined to know the real sentiments of my countrymen from themselves: And I am concerned to say that those sentiments were so suddenly and unexpectedly communicated to me, that I was altogether unprepared to give an immediate answer upon so important a point; for in however unpopular a light I may lately have been viewed, and notwithstanding the many insults I have from this day's conversation been informed were offered me in effigy in many parts of the colony, yet I still flatter myself that time will justify me, and that my conduct may not be condemned, after being coolly inquired into.

"The commission, so very disagreeable to my countrymen, was solely obtained by the genteel recommendation of their representatives in general assembly, unasked for; and though this is contradictory to public report, which I am told charges me with assisting the passage of the Stamp-act, upon the promise of the commission in this colony, yet I hope it will meet with credit, when I assure you, I was so far from assisting it, or having any previous promise from the ministry, that I did not know of my appointment until some time after my return from Ireland, where I was at the commencement of the session of parliament, and for a long time after the act had passed.

"Thus, Gentlemen, am I circumstanced. I should be glad to act now in such a manner as would justify me to my friends and countrymen here, and the authority which appointed me; but the time you have allotted me for my answer is so very short, that I have not yet been able to discover that happy medium, therefore must intreat you to be referred to my future conduct, with this assurance in the mean time that I will not, directly or indirectly by myself or deputies, proceed in the execution of the act until I receive further orders from England, and not then without the assent of the general assembly of

this colony; and that no man can more ardently and sincerely wish the prosperity thereof, or is more desirous of securing all its just rights and privileges, than,

Gentlemen,

Your sincere friend,

And obliged humble servant,

GEORGE MERCER."

This declaration gave such general satisfaction that he was immediately born out of the capital-gate, amidst the repeated acclamations of all present. Then he was conducted to a public-house, and an elegant entertainment ordered to be provided, where he spent the evening with a number of gentlemen. He had no sooner arrived there than the acclamations of the company were redoubled, drums, French-horns, &c. sounding all the while. As soon as night set in the whole town was illuminated, the bells set a ringing, and every mark of joy shewn at this gentleman's declining, in such a genteel manner, to act in an office so odious to his country. In short, there never was seen there so much and so general rejoicing upon any occasion, in so short a time; and to crown the whole, there was a splendid ball, the 1st of November, at night.

Mr. Mercer, upon his landing at Hampton, met with some very rude treatment from the mob there; but by the interposition of the gentlemen, they dispersed, without any ill consequences.

After the breaking up of the congress at New York, (the commissioners to which were the following gentlemen, viz. Massachusetts Bay. Hon. James Otis, Esq; Oliver Partridge, and Timothy Ruggles, Esqrs;—Rhode Island. Medcalf Bowler, and Henry Ward, Esqrs;—Connecticut. Col. Dyer, Mr. Johnson, and Mr. Rowland. — New York. Mr. Cruger the Mayor, Mr. Alderman Livingston, Judge Livingston, Mr. Lispenard, and Mr. Bayard.—Jerseys. The Hon. Robert Ogden, Esq; Speaker, Henry Fisher, and Joseph Burden, Esqrs;—Pennsylvania. The Hon. Mr. Fox, Speaker, Mr. Dickinson, Mr. Bryon, and Mr. Morton.—The counties of Sussex, &c. on Delaware. Caesar Rodney, Esq; and Mr. Mac Kean.—Maryland. William Murdock, Edward Tilghman, and Thomas Ringold, Esqrs;—South Carolina. Mr. Lynch, Mr. Gudsion, and Mr. Rutledge;) the stamped paper being secured in Fort George, and some extraordinary preparations being carried on in that garrison, the people of New York were greatly alarmed and displeased; and accordingly, on Friday, the fatal first of November, they assembled in great numbers in the evening, and, preceded by a number of lights, went to the fort walls, where they broke open the stables, and took out the

the Lieut. Governor's coach, which, after carrying through the city in triumph, they brought to the Commons, where a gallows had been erected, and an effigy of the Lieut. Governor, with some scandalous papers on the breast, and a drum at the back, hung on one end, and a Devil at the other. They then carried the coach, with the gallows and effigies entire, in grand procession to the gate of the fort, and then to the Bowling-green, under the muzzles of the fort guns, where all were consumed in a bonfire, amidst the acclamations of several thousands. Thence they proceeded to the house of Major James, who was reported to have been a friend to the stamp-act, which they entirely gutted, and made a bonfire of its contents; and then they dispersed.

The next evening, having heard that the Lieut. Governor had qualified himself as stamp-distributor, the multitude assembled again, determined to march to the fort, and obtain either a declaration that the Lieut. Governor would not distribute the stamps, or that they should be delivered into their hands; but they were prevented by receiving the following declaration from the fort.

"The Lieut. Governor declares he will do nothing in relation to the stamps, but leave it to Sir Henry Moore to do as he pleases on his arrival." Council-Chamber, New York,

Nov. 2. By order of his Honour,
1765. GEO. BANYAR, D. Cl. Co.

Still, however, the people remained dissatisfied, and insisted that the stamps should be delivered out of the fort, or they would take them by force. On this Captain Kennedy, of his majesty's ship Coventry, was desired to take them on board, which he absolutely refused: and after much negotiation on Tuesday evening, Nov. 5, they were delivered to the corporation, and lodged in the City-hall, to the great joy of the people.

It is to be remark'd, that, during the commotion, all the cannon on Copsy-battery, and the King's yard, and many others belonging to the merchants, were all spiked up, to prevent the populace making use of them to obtain the stamps.

At Halifax also, in Nova Scotia, the stamp-officer was hanged in effigy, and the people obliged him to give up the stamp paper, which they burnt.

In Virginia, the Justices of Westmorland met, and unanimously resigned their offices, by the following address to the Governor and council:

"The very great impropriety of acting in an office which at once requires the discharge of

duties utterly inconsistent with each other, makes indispensably necessary to give your honours this timely information, that, after the first day of November next, we the under-written magistrates of Westmorland, find ourselves compelled, by the strongest motives of honour and virtue, to decline acting in that capacity; because, from that period, the act for establishing stamps in America commences; which act will impose on us a necessity, in consequence of the judicial oath we take, of acting in conformity to its directions, and, by doing so, to become instrumental in the destruction of our country's most essential rights and liberties."

Oct. 17. [Signed by the J U S T I C E S.]

The first of November being past, and no stamped papers to be got, the printers of New York, Boston, &c. continued to print their papers without stamps, making an apology to the government, as not proceeding from disloyalty, and being urged by the threats of the people, if they discontinued their papers.

The speech of Governor Bernard hath been inserted above, as also an account of his adjourning the assembly to the 23d of October. They met on that day, and prepared an answer to his speech which was presented on Friday, the 25th, and was as follows:

May it please your EXCELLENCY.

THE House of Representatives have entered into a due consideration of your speech to both Houses at the opening of this Session; and should have earlier communicated to your Excellency our sentiments thereupon, had not the late sudden and unexpected adjournment prevented it.

We must confess, that after your Excellency had called us together, in pursuance of the unanimous advice of a very full Council, we were in hopes you would have given the Assembly Time then to have considered the critical state of the Province, and determined what was proper to be done at so difficult and dangerous a conjuncture.

Your Excellency tells us, that the Province seems to be upon the brink of a precipice! A sight of its danger is then necessary for its preservation. To despair of the commonwealth, is a certain presage of its fall: Your Excellency may be assured, that the Representatives of the people are awaked to a sense of its danger, and their utmost prudence will not be wanting to prevent its ruin.

We indeed could not have thought that a weakness in the executive power of the Province had been any part of our danger; had not your Excellency made such a declaration in your speech: Certainly the General Assembly have done every thing incumbent on them; and laws are already in being for the support of his Majesty's authority in the Province: Your Excellency doth not point out to us any defect in those laws; and yet you are pleased to say, that the

the executive authority is much too weak: Surely you cannot mean, by calling the whole Legislative in aid of the Executive authority, than any new and extraordinary kind of power should by law be constituted to oppose such acts of violence as your Excellency may apprehend, from a people ever remarkable for their loyalty and good order, though at present uneasy and discontented. If then the laws of the Province for the preservation of his Majesty's peace are already sufficient, your Excellency we are very sure need not to be told, to whose department it solely belongs to appoint a suitable number of Magistrates to put those laws in execution, or remove them in case of failure of their duty herein. And we hope this important trust will remain with safety to the province, where the constitution has lodged it.

Your Excellency is pleased to tell us, that declarations have been made and still subsist, that the act of parliament for granting the Stamp-duties in the Colonies, shall not be executed within the Province. We know of no such declarations. If any individuals of the people have declared an unwillingness to subject themselves to the payment of the Stamp-duties, and chuse rather to lay aside all business, than to make use of the stamped papers, as we are not accountable for such declarations, so neither can we see any thing criminal in them: This house has no authority to controul their choice in this matter: The act does not oblige them to make use of the papers; it only exacts the payment of certain duties for such papers as they may incline to use: Such declarations may possibly have been made and may still subsist, very consistently with the utmost respect to the King and Parliament.

Your Excellency has thought proper to enumerate very minutely the inconveniencies that may arise from the stamp papers not being distributed among the people; with respect to some of which your love and concern for the province leads you to fear more for us than we do for ourselves. We cannot think your Excellency would willingly aggravate our dangers; we are not in particular so alarmed, as your Excellency seems to be, with the apprehension of the hand of violence being let loose. Your Excellency, upon recollection, will find that all papers relative to crown matters are exempt from stamps. The persons of his Majesty's good subjects will still remain secure from injury: That spirit which your Excellency tells us attacks reputations, and pulls down houses, will yet be curbed by the law. The estates of the people will remain guarded from theft or open violence. There will be no danger of force of arms becoming the only governing power. Nor shall we realize what your Excellency is pleased to call a state of General Outlawry. This we think necessary to be observed without a particular consideration of all the consequences, which your Excellency fears, to prevent, if possible, any wrong impressions from fixing in the minds of ill-disposed persons, or remove them if already fixed.

You are pleased to say, that the Stamp Act is an act of parliament, and as such ought to be observed. This house, Sir, has too great a reverence for the supreme legislature of the nation, to question its just

authority: It by no means appertains to us to presume to adjust the boundaries of the power of parliament; but boundaries there undoubtedly are. We hope we may, without offence, put your Excellency in mind of that most grievous sentence of excommunication solemnly denounced by the church in the name of the sacred Trinity, in the presence of King Henry the Third, and the estates of the realm, against all those who should make statutes, or observe them, being made, contrary to the liberties of Magna Charta.—We are ready to think those zealous advocates for the Constitution usually compared their Acts of Parliament with Magna Charta; and if it ever happened that such acts were made as infringed upon the rights of that charter, they were always repealed. We have the same confidence in the rectitude of the present parliament; and therefore cannot but be surprized at an intimation in your speech, that they will require a submission to an act as a preliminary to their granting relief from the unconstitutional burdens of it; which we apprehend includes a suggestion in it far from your Excellency's design, and supposes such a wanton exercise of mere arbitrary power, as ought never to be furnished of the patrons of liberty and justice.

Furthermore, your Excellency tells us that the right of the parliament to make laws for the American colonies remains indisputable in Westminster: Without contending this point, we beg leave just to observe that the charter of this province invests the General Assembly with the power of making laws for its internal government and taxation; and that this charter has never yet been forfeited. The parliament has a right to make all laws within the limits of their own constitution; they claim no more. Your Excellency will acknowledge that there are certain original inherent rights belonging to the people, which the parliament itself cannot divest them of, consistent with their own constitution: Among these is the right of representation in the same body which exercises the power of taxation. There is a necessity that the subjects of America should exercise this power within themselves, otherwise they can have no share in that most essential right, for they are not represented in parliament, and indeed we think it impracticable. Your Excellency's assertion leads us to think that you are of a different mind with regard to this very material point, and that you suppose we are misrepresented: But the sense of the nation itself seems always to have been otherwise. The Right of the colonies to make their own laws and tax themselves, has been never, that we know of, questioned; but has been constantly recognized by the King and parliament. The very supposition that the parliament, though the supreme power over the subjects of Britain universally, should yet conceive of a despotick power within themselves, would be most disrespectful: And we leave it to your Excellency's consideration, whether to suppose an indisputable right in any government, to tax the subject without their consent, does not include the idea of such a power.

Our duty to the King, who holds the rights of all his subjects sacred as his own prerogative; and our love to our constituents, and concern for their dearest interests,

interests, constrain us to be explicit upon this very important occasion. We beg that your Excellency would consider the people of this province as having the strongest affection for his Majesty, under whose happy government they have felt all the blessings of liberty: they have a warm sense of the honour, freedom, and independence of the subjects of a patriot King: they have a just value for those inestimable rights, which are derived to all men from nature, and are happily interwoven in the British constitution: they esteem it sacrilege for them ever to give them up; and rather than lose them, they would willingly part with every thing else. We deeply regret it, that the Parliament has seen fit to pass such and as the Stamp Act: we flatter ourselves that the hardships of it will shortly appear to them in such a light, as shall induce them in their wisdom to repeal it: in the mean time we must beg your Excellency to excuse us from doing any thing to assist in the execution of it: were we, in order to avoid Assertions, to resolve what we have to say on this head into mere questions, we should with all humility ask, Whether it would be possible for us to add any weight to an act of that most august body the Parliament? Whether it would not be construed as arrogance and presumption in us to attempt it? Whether your Excellency can reasonably expect that the House of Representatives should be active in bringing a grievous burthen upon their constituents? Such a conduct in us would be to oppose the sentiments of the people whom we represent, and the declared instruction of most of them.—They complain that some of the most essential rights of Magna Charta, to which, as British subjects, they have an undoubted claim, are injured by it: that it wholly cancels the very conditions upon which our ancestors settled this country, and enlarged his Majesty's dominion, with much toil and blood, and at their sole expence: that it is totally subversive of the happiest frame of subordinate civil government expressed in our Charter, which amply secures to the government our allegiance, to the nation our connection, and to ourselves the indefeasible rights of Britons: that it tends to destroy that mutual confidence and affection, as well as that equality, which ought ever to subsist among all his Majesty's subjects in his wide and extended empire: that it may be made use of as a precedent for their fellow-subjects in Britain for the future to demand of them what part of their estates they shall think proper, and the whole if they please: that it vests a single Judge of the Admiralty, with a power to try and determine their property in controversies arising from internal concerns, without a Jury, contrary to the very expression of Magna Charta, that no freeman shall be amerced, but by the oath of good and lawful men of the vicinage: that it puts it in the power of an informer to carry a supposed offender more than a thousand miles for trial; and what is the worst of all evils, if his Majesty's American subjects are not to be governed, according to the known stated rules of the constitution, as those in Britain are, it is greatly to be feared that their minds may in time become disaffected; which we cannot even entertain the most distant thought of without the greatest abhorrence.—We are truly sorry

that your Excellency has never made it a part of your business to form any judgment of this act; especially as you have long known what uneasiness the most distant prospect of it gave to his Majesty's good subjects in America, and of this province of which you are substituted head and father: had your Excellency thought proper to have seasonably entered into a disquisition of the policy of it, you would, we doubt not, have seen that the peoples fears were not without good foundation; and the love and concern which you profess to have for them, as well as your duty to his Majesty, whose faithful subjects they are, might have been the most powerful motive to your Excellency to have expressed your sentiments of it early enough to those whose influence brought it into being.—

We cannot help expressing our great uneasiness, that after mentioning some violences committed in the town of Boston, your Excellency should ask this House, whether such proceedings are consistent with the dutiful, humble and loyal representations which we propose should be made: we are sure your Excellency will not expressly charge us with encouraging the late disturbances; and yet, to our unspeakable surprize and astonishment, we cannot but see, that by fair implication it may be argued from the manner of expression, that an odium was intended to be thrown on the province. We inherit from our ancestors the highest relish for civil liberty, but we hope never to see the time when it shall be expedient to countenance any methods for its preservation, but such as are legal and regular. When our sacred rights are infringed, we feel the grievance; but we understand the nature of our happy constitution too well, and entertain too high an opinion of the virtue and justice of the supreme legislature, to encourage any means of redressing it, but what are justifiable by the constitution. We must therefore consider it as unkind for your Excellency to cast such a reflection on a province whose unshaken loyalty and indissoluble attachment to his Majesty's most sacred person was never before called in question, and we hope in God never will again. We should rather have thought your Excellency would have expressed your satisfaction in presiding over so loyal a people, who in that part of the government where the violences were committed, before there was time for them to be supported by the arm of civil power, and even while the supreme magistrate was absent, by their own motion raised a spirit and diffused it through all ranks, successfully to interpose and put a stop to such dangerous proceedings.

Your Excellency is pleased to recommend a compensation to be made to the sufferers by the late disturbances.—We highly disapprove of the late acts of violence which have been committed; yet till we are convinced that to comply with what your Excellency recommends, will not tend to encourage such outrages in time to come, and till some good reason can be assigned why the losses those gentlemen have sustained should be made good, rather than any damage which other persons on any different occasions might happen to suffer, we are persuaded we shall not see our way clear to order such a compensation to be made. We are greatly at a loss to know who

has any right to require this of us, if we should differ from your Excellency in point of its being an act of justice which concerns the credit of the government. We cannot conceive why it should be called an act of justice, rather than generosity, unless your Excellency supposes a crime committed by individuals, chargeable upon a whole community.

We are very sorry that your Excellency should think it needful to intimate, that any endeavours have been, and may be used, to lessen your credit with this house. Your Excellency cannot but be sensible, that when the popular pulse beats high for privileges, it is no unusual thing for a clamour to be raised against gentlemen of character and eminence. We can assure you that our judgment of men, especially those in high stations, is always founded upon our experience and observation. While your Excellency is pleased to make your duty to our most gracious Sovereign, and a tender regard to the interest of his subjects of this province, the rule of your administration, you may rely upon the readiest assistance that this house shall be able to afford you.—And you will have our best wishes that you may have wisdom to strike out such a path of conduct, as, while it secures to you the smiles of your Royal Master, will at the same time conciliate the love of a free and loyal people.

The province of New Hampshire appointed the 14th of November to be held as a day of general thanksgiving; and the province of Massachusetts Bay appointed the 5th of December for the same purpose.

On the last day of October, the people of New Hampshire assembled, on having heard that Mr. Messerve, notwithstanding his late verbal resignation, intended to distribute the stamps: and went to him, where the King's council had conducted him, to the Plains, two miles from Portsmouth; and there Judge Warner, one of the council, administered to him a solemn oath, that he would not execute his office in this province. That oath, and the declaration of the council, that the stamps should remain in New-Castle fort, un-opened, satisfied the people, who all dispersed quietly.

Since that time, no fresh accounts have been received, except some letters from a clergyman in Philadelphia; with some extracts from which we conclude this narrative: and the annexed CHARACTERS will enable the reader to form a better judgment of the propriety or impropriety of the Americans behavior. The extracts are as follows:

—“An association was formed this day, and articles signed by a very great number of the merchants, and will be subscribed by all, engaging that they will not import from Britain any goods or merchandise till the Stamp Act is repealed. Ireland, which seems now much in favour here, will probably reap great advantage from this turn, as she may now pay in goods for the immense quantities of flax seed received from hence, for the greater part of which she was before obliged to give drafts on London. I suppose this association will not be quite so disagreeable even to the merchants in England as some imagine; for the backwardness, and almost total stop of cash remittances from America, owing to the late imprudent restraints on the trade, must make them as unwilling to send goods to the merchants here, as these are to send for them. And indeed it is no great self-denial in our merchants to stop, as it may seem, their own business, and refuse sending for more British goods, since they know the people are universally determined not to buy them: so that all parties are perhaps agreed. It is amazing what a turn the idlest and most profuse among the Americans have taken to industry and frugality. The substantial fashionable people are foremost in setting the example; and old cloaths or homespun are becoming all the mode. And such are the efforts of these people, and so prudent the measures they have taken, that I begin now to be convinced, of what I once thought impossible, that they will be able to supply themselves with every necessary of life. So it seems, indignation, which is said to have sometimes made poets, can also make manufacturers.”

Another letter says, “Tis impossible to give you an idea of the universal contempt all sorts of people here affect to shew for English goods. It is a kind of madness that has seized them, occasioned by some of your late acts; though I do not think they are really madder in this respect than they used to be, for they were before as madly fond of every thing that came from Britain. They have therefore only changed one kind of madness for another; one that made them poor, for one that will save their money, and, of course, make them rich.”

Another says, “Don't imagine that your acts of parliament have no power here: They have had the power of working miracles; of turning, by a few dashes of the pen, a million of as good, faithful, and affectionate subjects, as any government ever had, into little less than downright rebels. England and its parliament had the love, respect, and veneration of every American, from the first settlement of the colonies: heretofore, their hearts were always on the right side, but now are on the wrong; your late state physicians having, like their brethren in Moliere, *changé tout cela*.”

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